

0300



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. 8686

Application of

Ralph Frazier

Serial No. 09/782,150

**NOTICE TO FILE CORRECTED
APPLICATION PAPERS**

Group Art Unit: 2122

Filed: February 14, 2001

For: **OPERATING SOFTWARE PERFORMANCE MONITOR**

Assistant Commissioner
for Patents

Washington, D.C. 20231

**CERTIFICATE OF MAILING
(37 CFR 1.8a)**

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

5-22-01

Date

Karen A. Church

Karen A. Church

ATTN: Customer Service Center
Initial Patent Examination Division

Sir:

In response to the above-named Notice dated March 27, 2001, relative to the above-named application, Applicant hereby submits new formal drawings to complete the file in compliance with 37 CFR 1.84.

Subject to approval by the Examiner and upon allowable subject matter, enclosed herewith are the new formal drawings for Figures 1-3. Please substitute the enclosed formal drawings for the originally filed informal drawings for Figures 1-3 which were

provided with the patent application when filed on February 14, 2001.

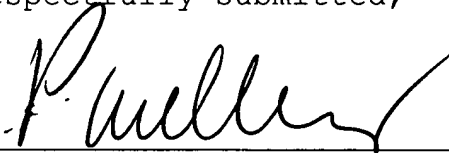
Applicant hereby authorizes the following fees from
Deposit Account No. 14-0225:

Surcharge for Incomplete Application \$130.00

Please charge any additional fees to Deposit Account
No. 14-0225.

A copy of said Notice is included herewith.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'P. Martin', is written over a horizontal line.

Paul W. Martin
Attorney for Applicant
Reg No. 34870
(937) 445-2990

Dayton, Ohio

MAY 22 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/782,150	02/14/2001	Ralph E. Frazier	3225-087

CONFIRMATION NO. 2319

FORMALITIES LETTER



James M. Stover, Esq.
NCR Corporation
Law Department
101 W. Schantz Avenue, ECD-2
Dayton, OH 45479-3733

Date Mailed: 03/27/2001

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Receipt #4
2/2/02



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. 8686

Application of

Ralph Frazier

Serial No. 09/782,150

Group Art Unit: 2122

Filed: February 14, 2001

Examiner: Unknown

For: **OPERATING SOFTWARE PERFORMANCE MONITOR**

Assistant Commissioner
for Patents

Washington, D.C. 20231

CERTIFICATE OF MAILING

(37 CFR 1.8a)

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

5-22-01
Date

Karen A. Church
Karen A. Church

Attn: Office of Initial Patent Examination
Customer Service Center

Sir:

REQUEST FOR CORRECTED FILING RECEIPT

Please be advised that there is an error on the filing receipt for the above patent application with respect to the following data, which is incorrectly entered:

Atty. Docket No.

3225-087

Correct Atty. Docket No.

8686

Mailing Address

James M. Stover
NCR Corporation
Law Department
101 W. Schantz Avenue, ECD-2
Dayton, OH 45479-3733

Correct Mailing Address

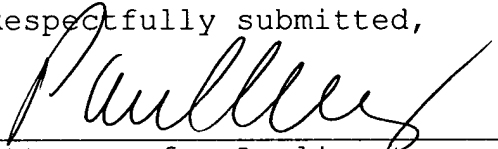
Paul W. Martin
NCR Corporation
Law Department
101 W. Schantz Avenue, ECD-2
Dayton, OH 45479-0001

We have enclosed a copy of the official filing receipt from the Patent and Trademark Office in the above application.

Issuance of a corrected filing receipt is respectfully requested.

Please charge any fee associated with the filing of this Request or any additional fees due to the account of NCR Corporation, Deposit Account No. 14-0225.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Paul W. Martin", is written over a horizontal line.

Attorney for Applicant
Paul W. Martin
Reg. No. 34870
(937) 445-2990

Dayton, Ohio



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/782,150	02/14/2001	2122	710	3225-887 8686	3	10	2

CONFIRMATION NO. 2319

FILING RECEIPT



OC000000005905537

RECEIVED

APR - 4 2001

LAW DEPARTMENT

Paul W. Martin
~~James M. Stever, Esq.~~
NCR Corporation
Law Department
101 W. Schantz Avenue, ECD-2
Dayton, OH 45479-3733
0001

Date Mailed: 03/27/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Ralph E. Frazier, Suwanee, GA;

Assignment For Published Patent Application

NCR CORPORATION,;

Continuing Data as Claimed by Applicant

Foreign Applications

If Required, Foreign Filing License Granted 03/26/2001

Projected Publication Date: To Be Determined - pending completion of Corrected Papers

Non-Publication Request: No

Early Publication Request: No

Title

Operating software performance monitor

RECEIVED
AUG 24 2001
Technology Center 2100

Preliminary Class

717

Data entry by : ZEWDIE, BROUKTAWIT

Team : OIPE

Date: 03/27/2001



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231



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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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Bib Data Sheet

FILE COPY

CONFIRMATION NO. 2319

SERIAL NUMBER 09/782,150	FILING DATE 02/14/2001 RULE	CLASS 717	GROUP ART UNIT 2122	ATTORNEY DOCKET NO. 8686
APPLICANTS Ralph E. Frazier, Suwanee, GA;				
** CONTINUING DATA *****				
** FOREIGN APPLICATIONS *****				
IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 03/26/2001				
Foreign Priority claimed 35 USC 119 (a-d) conditions met Verified and Acknowledged		<input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input type="checkbox"/> Met after Allowance <i>Michael Griggall</i> Examiner's Signature	STATE OR COUNTRY GA INITIALS MY	SHEETS DRAWING 3 TOTAL CLAIMS 10 INDEPENDENT CLAIMS 2
ADDRESS Paul W. Martin NCR Corporation Law Department 101 W. Schantz Avenue, ECD-2 Dayton ,OH 45479-0001				
TITLE Operating software performance monitor				
FILING FEE RECEIVED 710	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit	